

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	October 10, 2017
Time of Incident:	2:34 pm
Location of Incident:	XXX S. Halsted St. Chicago, IL 60608
Date of COPA Notification:	November 27, 2017
Time of COPA Notification:	3:01 pm

Complainant Subject 1 alleged that she was unlawfully arrested by Chicago Police Officers for her involvement in a physical altercation with her landlords, Subject 2 and Subject 3, that occurred on October 2, 2017. Subject 1 was arrested on October 10, 2017 when she went to the 009th District station to inquire about the incident. This investigation revealed that it was reasonable for the accused officers to believe that Subject 1 forced entry into Subject 2's residence and committed a battery.

II. INVOLVED PARTIES

Involved Officer #1:	Officer A, Star #XXXXXX, Employee ID #XXXXXX, Appointment Date XXXX, Unit XXX, Male, White, Birth Date XXXX.
Involved Officer #2:	Officer B, Star #XXXXXX, Employee ID #XXXXXX, Appointment Date XXXX, Unit XXX, Male, Hispanic, Birth Date XXXX.
Involved Officer #3:	Officer C, Star #XXXXXX, Employee ID #XXXXXX, Appointment Date XXXX, Unit XXX, Male, White, Birth Date XXXX.
Involved Officer #4:	Officer D, Star #XXXXXX, Employee ID #XXXXXX, Appointment Date XXXX, Unit XXX, Female, Hispanic, Birth Date XXXX.
Subject #1:	Subject 1, Female, Asian, Birth Date XXXX.

III. ALLEGATIONS

Officer	Allegation	Finding
Officer A	1. Unlawfully arrested the Complainant in violation of Rule 1.	Unfounded.

Officer B	1. Unlawfully arrested the Complainant in violation of Rule 1.	Unfounded.
Officer C	1. Unlawfully arrested the Complainant in violation of Rule 1.	Unfounded.
Officer D	1. Unlawfully arrested the Complainant in violation of Rule 1.	Unfounded.

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 1: Prohibits violation of any law or ordinance.

United States Constitutional Provisions

1. United States Constitution, Amendment IV: Prohibits search and seizure without probable cause.

V. INVESTIGATION¹

a. Interviews²

In an interview with COPA,³ on November 30, 2017, **Subject 1** made the allegations listed above.

b. Digital Evidence

Body-Worn Camera Footage⁴ (BWC) from Officers A and B (“the Officers”) is comprehensive and does not depict any misconduct. The BWC shows the Officers talk to Civilian 2 on the street. Subject 1 was in an ambulance at that point prior to going to Mercy Hospital. Civilian 2 helped translate so Subject 1 could talk to the Officers. Civilian 2 reported that Subject 1’s landlord struck her with a stick. The officers then followed Civilian 2 to the landlords’ apartment and interviewed Subject 2 and Subject 3, who reported that Subject 1, Civilian 2, and an unknown male (“the Subjects”) arrived at the location seeking the return of a security deposit. When Subject 2 opened the door, the Subjects forced their way into the apartment. One of the Subjects was armed with a mop that Subject 2 kept just outside his door. Subject 2 grabbed the mop and struck the Subjects.⁵ During the altercation, the mop broke. The Subjects then left. Subject 2 and Subject 3 showed their minor injuries and damage to their door to the Officers. The Officers took everyone’s information for their report. To assist in determining which parties were the

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² COPA also interviewed Civilian 1, a friend of Subject 1’s. He was a witness to Subject 1’s arrest, but not the underlying incident on October 2, 2017. See Attachment 15.

³ Att. 9. The interview was conducted via interpreter because Subject 1 only speaks Mandarin Chinese.

⁴ Att. 33.

⁵ Subject 2 was not certain who he struck.

suspects the Officers confirmed with OEMC that Subject 2 was the first party to call and report the incident.

c. Documentary Evidence

The **Original Case Incident Report for RD #XXXX**,⁶ authored by Officer E,⁷ details the preliminary investigation of the incident by Officers A and B. The narrative details essentially the same information that was depicted on the BWC Footage. The report lists Subject 2 and Subject 3 as victims and Subject 1 and Civilian 2 as suspects.

Subject 1's Arrest Report,⁸ authored by Officer C, details that on October 10, 2017, Subject 1 arrived at the 009th District to speak with an officer about her involvement in RD #XXXX. A review of the Original Case Incident Report revealed that Subject 1 was a suspect in the incident and that probable cause existed for her arrest. Based on the review Subject 1 was arrested and charged with battery and criminal damage to property.

Subject 1's Medical Records,⁹ detail treatment she received for her injuries. Additionally, the medical records detail that Subject 1 was unwilling to wait for CPD to arrive at the hospital so the incident could be reported.

VI. ANALYSIS

COPA recommends a finding of **UNFOUNDED** for all allegations against the Officers. A peace officer may arrest a person when s/he has reasonable grounds to believe that the person has committed an offense.¹⁰ Here, Officers A and B were informed by Subject 2 and Subject 3, that Subject 1 and others had forced entry to their residence and battered them. Officers A and B documented the events in an Original Case Incident Report. Later, when Subject 1 attempted to provide details about her involvement, Officers C and D reviewed the Original Case Incident Report, determined that Subject 1 was a suspect, and arrested her based on the preliminary investigation completed by Officers A and B. Based on this information Subject 1's arrest was reasonable and lawful. Because the allegations are clearly unfounded, it is not necessary that the Officers address them in any way.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
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⁶ Att. 3.

⁷ The original report was started by Officer A and remained in draft status until Officer E completed it on October 10, 2017. Officer E was not otherwise involved in this incident.

⁸ Att. 2.

⁹ Att. 30.

¹⁰ 725 ILCS 5/107-2(1)(c)

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Approved:

Deputy Chief Administrator – Chief Investigator A

Date

Appendix A

Assigned Investigative Staff

Squad#:	X
Investigator:	Investigator A
Supervising Investigator:	Supervising Investigator A
Deputy Chief Administrator:	Deputy Chief Administrator A